

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON HOUSE BILL 645

Call to Order: Chairman John Esp, on April 24, 2009 at 10:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. John Esp, Chairman (R)
Rep. Jon C. Sesso, Chairman (D)
Rep. Cynthia Hiner (D)
Sen. Jim Keane (D)
Rep. Walter McNutt (R)
Rep. Penny Morgan (R)
Sen. Jim Peterson (R)

Members Excused: None

Members Absent: None

Staff Present: Taryn Purdy, Legislative Fiscal Division
Prudence Gildroy, Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Due to a committee recess, several audio recordings were made to cover the entirety of the meeting. After the first part of the meeting and its audio recording, one minute and 29 seconds of silence was added to the final recording to represent the committee recess before the second audio portion begins. The second portion of the audio recording for the meeting begins at the minute's time stamp of 1:01:00.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 645

00:00:01 Reconvene
00:00:02 Chairman Esp
00:02:09 Rep. Sesso
00:03:52 Chairman Esp

00:04:36 **Motion:** Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a01)

Discussion:

00:05:15 Rep. Hiner
00:05:24 Taryn Purdy, Legislative Fiscal Division (LFD)
00:06:34 Chairman Esp
00:07:15 Rep. Sesso
00:07:29 Chairman Esp
00:08:26 Rep. Sesso
00:10:16 Chairman Esp
00:11:53 Rep. Sesso
00:13:09 Chairman Esp
00:14:25 Rep. Sesso
00:14:38 Chairman Esp
00:15:29 Rep. Hiner
00:15:53 Chairman Esp
00:16:11 Jim Standaert, LFD
00:16:35 Rep. Hiner
00:16:47 Mr. Standaert
00:17:05 Ms. Purdy
00:18:36 Chairman Esp

00:19:34 **Vote:** Motion failed 4-3 by roll call vote due to lack
of majority from both houses. Sen. Esp, Peterson and
Reps. McNutt and Morgan voting aye.

00:19:36 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a02)

Discussion:

00:20:01 Ms. Purdy
00:20:52 Chairman Esp
00:20:57 Ms. Purdy
00:21:55 Rep. Sesso
00:22:37 Ms. Purdy
00:22:54 Chairman Esp
00:23:11 Rep. Hiner
00:23:32 Chairman Esp
00:24:52 Rep. Hiner
00:25:00 Chairman Esp
00:25:32 Rep. Hiner

00:25:39 Chairman Esp
00:26:23 Ms. Purdy
00:28:09 Sen. Peterson
00:28:26 Chairman Esp

00:28:30 **Vote:** Motion carried unanimously by roll call vote.

00:29:43 **Motion:** Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a03)

Discussion:

00:30:06 Ms. Purdy
00:30:13 Barbara Smith, LFD
00:32:44 Rep. Sesso
00:33:38 Chairman Esp
00:33:58 Rep. Sesso
00:34:18 Chairman Esp
00:34:25 Ms. Purdy
00:35:22 Chairman Esp
00:35:42 Ms. Purdy
00:35:47 Chairman Esp
00:36:06 Rep. Sesso
00:36:42 Chairman Esp
00:36:45 Ms. Purdy
00:36:51 Kris Wilkinson, LFD
00:37:41 Chairman Esp
00:38:10 Rep. Sesso
00:39:43 Chairman Esp
00:39:51 Rep. Sesso
00:40:35 Chairman Esp
00:41:21 Rep. Sesso
00:41:52 Chairman Esp
00:42:17 Ms. Purdy
00:42:56 Rep. Sesso
00:43:34 Chairman Esp
00:44:28 Rep. Sesso
00:45:44 Chairman Esp
00:45:50 Ms. Wilkinson
00:46:50 Chairman Esp
00:47:27 Sen. Peterson

00:47:33 **Vote:** Motion carried unanimously by voice vote.

00:48:03 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a04)

Discussion:

00:48:05 Sen. Peterson
00:49:08 Sen. Esp

00:49:42 **Vote:** Motion carried unanimously by voice vote.

00:49:55 Chairman Esp

00:50:14 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a05)

Discussion:

00:52:34 Chairman Esp

00:53:29 **Vote:** Motion carried unanimously by voice vote.

00:54:03 Chairman Esp
00:54:15 Rep. Hiner
00:54:19 Chairman Esp

00:54:22 **Motion:** Rep. Peterson **MOVED TO AMEND HB 645.**
EXHIBIT(frs88hb0645a06)

Discussion:

00:54:24 Chairman Esp
00:56:19 Rep. Hiner
00:56:27 Chairman Esp
00:56:47 Rep. Hiner
00:57:00 Rep. Sesso
00:57:37 Chairman Esp
00:57:40 Ms. Purdy
00:57:56 Rep. Sesso
00:57:58 Ms. Purdy
00:58:11 Rep. Sesso
00:58:23 Chairman Esp
00:58:50 Sen. Peterson withdrew his motion.
00:59:00 Chairman Esp

00:59:31 Recess 11:22 a.m.
01:01:00 Reconvene HB 645 5:05 p.m.
01:02:17 Chairman Esp

01:03:47 **Motion/Vote:** Sen. Peterson moved **TO RECONSIDER ACTION**
ON AMENDMENT HB064535.AGP (Exhibit 4). Motion carried
by voice vote of both houses.

01:05:29 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a07)

01:05:50 Chairman Esp

01:05:59 **Vote:** Motion carried unanimously by voice vote.

01:06:41 **Motion:** Sen. Keane moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a08)

Discussion:

01:07:59 Rep. Morgan
01:08:43 Chairman Esp
01:09:46 Rep. Hiner
01:10:13 Marilyn Daumiller, Legislative Fiscal Division (LFD)
01:12:09 Sen. Keane
01:13:11 Chairman Esp
01:13:14 Rep. Morgan
01:13:37 Ms. Daumiller
01:14:39 Chairman Esp
01:15:27 Ms. Daumiller
01:16:47 Chairman Esp
01:17:50 Sen. Keane

01:18:20 **Vote:** Motion failed 5-2 by roll call vote due to lack
of majority in both houses. Sen. Keane, Reps. Sesso,
Hiner, McNutt and Morgan voting aye.

01:19:24 Chairman Esp

01:19:46 **Motion:** Sen. Peterson **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a09)

01:20:36 Chairman Esp

01:21:03 Sen. Peterson modified his motion **in 8(1)(A) STRIKING**
"1.01983" AND INSERTING "1.02 and in **8 (2)(A) STRIKING**
"1.04003" AND INSERTING "1.04".

Discussion:

01:21:26 Madalyn Quinlan, Office of Public Instruction (OPI)
01:22:56 Chairman Esp
01:23:12 Ms. Quinlan, OPI
01:23:37 Chairman Esp
01:23:54 Sen. Peterson withdrew his motion.
01:24:40 Chairman Esp
EXHIBIT(frs88hb0645a10)

01:26:32 Rep. Sesso
01:27:03 Greg Petesch, Legislative Services Division (LSD)
01:27:20 Rep. Sesso
01:27:29 Mr. Petesch, LSD
01:27:52 Chairman Esp

01:29:09 **Motion:** Rep. Sesso moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a11)

Discussion:

01:29:49 Ms. Purdy
01:29:58 Greg Dewitt, LFD
01:30:52 Rep. Sesso
01:31:08 Chairman Esp

01:31:23 **Vote:** Motion carried unanimously by voice vote.

01:31:43 Chairman Esp

01:32:16 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a12)

Discussion:

01:32:31 Ms. Purdy
01:32:53 Ms. Smith
01:33:15 Rep. Sesso
01:33:27 Ms. Smith

01:33:36 **Vote:** Motion carried unanimously by voice vote.

01:33:51 Chairman Esp
01:34:36 Rep. Hiner
01:34:56 Chairman Esp
01:35:32 Rep. Sesso
01:35:35 Chairman Esp
01:36:35 Rep. Sesso
01:36:39 Cathy Duncan, LFD

EXHIBIT(frs88hb0645a13)

01:37:32 Rep. Sesso
01:38:12 Ms. Duncan
01:41:17 Chairman Esp
01:42:27 Rep. Sesso
01:42:36 Chairman Esp
01:43:58 Rep. Morgan
01:44:03 Chairman Esp

ADJOURNMENT

Recess: 5:47 P.M.

Prudence Gildroy, Secretary

Additional Documents:

Additional Documents:

EXHIBIT ([frs88hb0645aad.pdf](#))